

United States District Court
Eastern District of California

Willie Bailey, III,
Plaintiff,
vs.

No. Civ. S 04-2067 GEB PAN P
Order

J. Wedell, et al.,
Defendants.

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Plaintiff is a state prisoner without counsel litigating a
civil rights action.

The action proceeds on the June 16, 2005, amended complaint
against defendants Latteri, Turella, Penner, Howard and
Abrahamawitz. All prior pleading has been superseded.

The amended complaint states cognizable claims for relief
against all five named defendants pursuant to 42 U.S.C. § 1983
and 28 U.S.C. § 1915A(b).

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1 Accordingly, the court hereby orders that:

2 1. Service is appropriate for defendants Latteri, Turella,
3 Penner, Howard and Abrahamawitz.

4 2. The Clerk of the Court shall send plaintiff five USM-285
5 forms, one summons, an instruction sheet and one copy of the June
6 16, 2005, pleading.

7 3. Within 30 days from service of this order, plaintiff
8 shall complete the attached Notice of Submission of Documents and
9 submit it to the court with the completed summons and USM-285
10 forms and six copies of the June 16, 2005, pleading.

11 4. Upon receipt of the necessary materials, the court will
12 direct the United States Marshal to serve defendants Latteri,
13 Turella, Penner, Howard and Abrahamawitz pursuant to Federal Rule
14 of Civil Procedure 4 without payment of costs.

15 Dated: December 27, 2005.

16 /s/ Peter A. Nowinski
17 PETER A. NOWINSKI
18 Magistrate Judge
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Notice of Submission of Documents

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Plaintiff hereby submits the following documents in
compliance with the court's order filed _____:

_____ completed summons form

_____ completed forms USM-285

_____ copies of the _____
Amended Complaint

Dated: _____

Plaintiff